

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *cy* D.C.  
05 DEC 20 PM 4:44

THOMAS H. BROWN  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENNESSEE

BILLY WHITEHEAD,

Plaintiff,

v.

No. 05-2602 B

UNITED STATES, et al.,

Defendants.

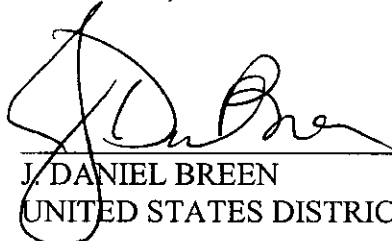
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ORDER TO SHOW CAUSE WHY MOTION OF DEFENDANT  
TO DISMISS CLAIMS AGAINST DANIEL B. KUETER SHOULD NOT BE GRANTED

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This lawsuit was brought by the Plaintiff, Billy Whitehead, who is represented by counsel, on August 18, 2005. On November 15, 2005, the Defendant, the United States, moved for dismissal of the Plaintiff's claims against Defendant Daniel B. Kueter pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. To date, no response has been filed on behalf of the Plaintiff, even though the deadline for such response under the Local Rules of this district has passed. See LR7.2(a)(2) (responses to Rule 12(b) motions must be filed within 30 days of service of the motion). The Plaintiff is therefore ORDERED, within fifteen (15) days of the entry hereof, to show cause why the motion to dismiss should not be granted. Failure of the Plaintiff to respond in a timely manner to this order may result in the granting of the dispositive motion.

IT IS SO ORDERED this 20<sup>th</sup> day of December, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 32 in case 2:05-CV-02602 was distributed by fax, mail, or direct printing on December 21, 2005 to the parties listed.

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Louis P. Chiozza  
CHIOZZA & ASSOCIATES  
230 Adams Ave.  
Memphis, TN 38103

William W. Siler  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Albert C. Harvey  
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL  
40 S. Main St.  
Ste. 2900  
Memphis, TN 38103--552

Honorable J. Breen  
US DISTRICT COURT